

**HAMPTON BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
OCTOBER 30, 2006 – 7:00 PM**

PRESENT: Virginia Bridle-Russell, Chairman
Ben Moore, Vice-Chairman
Rick Griffin
Bill Lally
Mark Gearreald, Interim Town Manager
Maureen Duffy, Administrative Assistant

REGRETS: James Workman

SALUTE TO THE FLAG

Chairman Virginia Bridle-Russell called the meeting to order at 7:00PM and introduced those in attendance.

I. ANNOUNCEMENTS AND COMMUNITY CALENDAR

Mr. Lally reminded residents that Trick or Treat has been scheduled from 5:30PM to 8PM on Halloween day, (October 31).

Mrs. Bridle-Russell announced that the second annual City Year Auction & Town Party will be on Thursday, November 9 at the Ashworth by the Sea Hotel. Tickets for the event are \$25. She also announced The Seacoast Area Firefighters' Toy Bank Chili Cook Off. The cook off will be held at Lebec Rouge on Thursday, November 16 from 5:30PM to 10PM.

II. APPOINTMENTS

1 DAVID SCOTT, IN-HOUSE DESIGN CHIEF – DOT BUREAU OF BRIDGE DESIGN AND JIM MOORE, DIRECTOR OF PROJECT DEVELOPMENT – HAMPTON RIVER BRIDGE ALONG ROUTE 1A.

Mr. Scott came before the Board of Selectmen seeking input regarding the rehabilitation of the Hampton River Bridge along Route 1A. At the Combined Public Informational / Officials Meeting held on September 14, 2006, he presented the "Minimal Rehabilitation" and the "Complete Rehabilitation" options.

Mr. Scott explained that the Minimal Rehabilitation option would involve repairs immediately necessary to address safety concerns for vehicular, boat and pedestrian traffic. It would include replacing the entire concrete bridge deck and all expansion joints. The Minimal Rehabilitation would also consist of a manual crash gate system with an automatic gate at the lift span as well as the replacement of the wooden fender system at the river channel. Concrete repairs on the Seabrook abutment and wing walls, and painting of local areas near the

lift space are also immediately necessary. This would provide a window of opportunity for local and regional officials to seek out funding for a new permanent bridge, and schedule the project as part of the NHDOT 10 year plan.

The Complete Rehabilitation would extend the life of the bridge for 20-25 years and would delay replacement for that length of time. The construction would include painting of all the structural steel on the bridge and replacement of the bridge deck at the lift span. The second category of work also includes the replacement of steel cover plates and some steel bracing at the existing bridge girders.

In addition, Mr. Scott suggested two traffic control alternatives that may be used during rehabilitation. The first method proposed was for daytime construction with a 24 hour a day single lane closure with alternating one-way traffic. Once the first half of the bridge is complete, traffic would be moved to the new portion of deck while the remainder of the bridge deck is replaced. Mr. Scott anticipates that the use of alternating one-way traffic would require at least two construction seasons to complete the deck replacement. The other construction process would consist of nighttime closure of the bridge, requiring a 12.9 mile detour. The bridge would be closed every evening so the deck could be replaced in segments. In the morning, the detour would be removed, and two-way traffic would have access to the bridge throughout daylight hours. The DOT expects that the nighttime closures would reduce project duration, and perhaps the deck replacement could be complete in one season. Either of these options may be used for Minimal Rehabilitation however, the 24 hour alternating one-way alternative would need to be used for Complete Rehabilitation. Mr. Scott emphasized that no construction work will be scheduled during late June through early September.

Mr. Lally suggested that the Board seek input from Sunvalley residents.

Police Chief Sullivan and Fire Deputy Chief Silver believe that the alternating one-way traffic method would be the best choice for safety purposes. Full closure of the bridge could possibly impact the ability for emergency vehicles to reach residents. He also noted that complete closure would affect garbage pickup and school bus routes.

Fred Rice, Chairman of the Hampton Beach Area Commission reported that the Commission is in favor of the minimal construction as they would like to see a permanent bridge in the future. In addition he is also in support of the alternating one-way traffic during rehab.

Mr. Lally MOTIONED to support the Minimal Rehabilitation as presented by Mr. Scott (DOT) and to recommend the alternating one-way traffic method for safety purposes. **Mr. Griffin SECONDED.**

VOTE: UNANIMOUS FOR

2. ROBERT LANDRY WITH THE DOT BUREAU OF HIGHWAY DESIGN – BRIDGE REPLACEMENT PROJECT OF THE TAYLOR RIVER BRIDGE ON I-95.

Mr. Landry and the DOT project consultant addressed the Board. The NHDOT has scheduled a bridge replacement project for the Taylor River Bridge on I-95. The project includes the replacement or removal of the Taylor River Dam in the Town of Hampton. It is anticipated that construction for the bridge will begin in 2010.

The Department is currently surveying the area and collecting data to determine the feasibility for the project. Once the study is complete a formal public hearing will be held for residents who have been affected by the

Taylor River. A few weeks ago Mr. Landry sought the input from the residents of Taylor River Estates. He has come before the Board of Selectmen in search of their insight and suggestions for the project.

Mr. Moore asked if the body of water that is dammed now would be maintained. Mr. Landry stated that it will have to be a decision that is made and there are options. One consideration is to remove the dam so the river will go back to its preexisting state as a flowing river. To maintain the pond as it currently is the other option is to relocate the bridge and build the dam in another location.

There is an easement that allowed the dam to be placed during 1948. The dam and bridge were built in 1949-50. The easement holds the State harmless from any water coming over the dam.

PUBLIC COMMENT REGARDING THE TAYLOR RIVER BRIDGE REPLACEMENT PROJECT ON I-95.

Mrs. Mary Boynton (27 Taylor River Estates) addressed the Board. She expressed her thanks to the NHDOT for listening to the residents' concerns and is pleased that the State has a 2010 deadline to resolve the water flow issue. Mrs. Boynton thanked everyone who has listened and is working with the home owners of Taylor River Estates.

Mr. Landry mentioned that the NHDOT is planning on hosting a public informational in February of 2007. It was suggested that a combined meeting be held at the Winnacunnet High School auditorium so that residents from Hampton and Hampton Falls may attend and participate in the discussions.

3. JOHN NICKERSON – FINAL REVISION OR ACCEPTANCE OF THE CHANNEL 22 OPERATING GUIDELINES & POLICIES

The Chairman of the Cable Committee, John Nickerson presented the revised Operating Guidelines and Policies. Under "Programming Guidelines" the Board of Selectmen's recommendations to include political programming (item #4) has been included. Mr. Nickerson requested that the Board approve the amended guidelines.

Mr. Nickerson asked if the Board would consider supporting a hearing impaired system for Channel 22. The system would enable hard of hearing viewers the ability to receive the dialog communicated at various Town meetings. The system has been priced from \$1000 to \$2000 and cable fund could be used to purchase the system.

Mr. Nickerson encouraged the Board to send a letter of thanks to Pete McKinnon for his service over the years working with Channel 22.

Mr. Griffin MOTIONED to write a thank you letter to Pete McKinnon for his many years of service to Channel 22 and approve the hearing impaired support system. **Mr. Griffin SECONDED.**

VOTE: UNANIMOUS FOR

The Operating Guidelines and Policies will be considered for acceptance at the next Board meeting.

III. MINUTES – OCTOBER 23, 2006

Under Announcements and Community Calendar, Dayly needs to be amended to Daly.

The minutes of October 23, 2006 stand as corrected.

IV. OLD BUSINESS

1. INTERIM TOWN MANAGER'S REPORT

Next Thursday night the Budget Committee will begin their 2007 Budget review per Department. The schedule of when the Departments will be reviewed is on the Town's web site. Finance Director Michael Schwotzer and Mr. Gearreald met with Budget Committee Chair Mary Louise Woolsey last week to establish a productive approach to these sessions.

The Superior Court has issued a Decree in the Town's favor as to most of the defendants named in the Leavitt Road case. The objective in that case was to prevent development as a road of the strip of land on which there has been located a Town sidewalk for the last 40 plus years, which connects Leavitt Road to Winnacunnet Road.

Next week Mr. Gearreald has three trials in Superior Court. The first case on Monday involves the Royal Market and the Town's newly installed sidewalks on the westerly side of Ashworth Avenue. The other two cases that week are a Board of Adjustment appeal and a Planning Board appeal.

Deputy Town Clerk Jane Cypher filled in admirably this week for Arlene Andreozzi in conducting the swearing in of two Fire Department promotions. Brian Wiser was promoted to Lieutenant, and Bill Kennedy was promoted to Captain.

As a reminder, the funeral for Barbara Daly will be on Sunday, November 5, 2006 at the United Methodist Church.

A flu shot clinic will be conducted in the Hampton Town Offices on Wednesday, November 29, 2006 from 1:00 p.m. to 3:30 p.m. The cost is \$30.00 or Medicare Part B. If you have any questions, please call the Seacoast Visiting Nurses at 926-2066. The level of availability for the vaccine is reported to be "good" this year.

Absentee ballots for the upcoming General Election on November 7 must be completed and received by the Town Clerk's Office by Monday, November 6, 2006 by 5:00 PM.

Mr. Moore questioned if this deadline was correct as he understands that State law suggests that the ballots may be received the day of the election. Mr. Gearreald will seek a proper and absolute answer for next week's meeting.

BOARD'S RESPONSE TO THE MANAGER'S REPORT

None

1. SEPTEMBER FINANCIALS

Finance Director Mr. Schwotzer noted that the Town's year to date budget is at a 75% level and the majority of the departments are functioning within it.

Mr. Moore is concerned that the Cemetery may go over budget. Mr. Gearreald reported that the Cemetery spending is seasonal and the Trustees anticipate that they will be able to stay within their budget.

Mr. Moore asked the Finance Director if a figure has been determined for the Tax Anticipation Note (TAN) interest expense. Mr. Schwotzer is still working on getting that figure. He also noted that the Town is borrowing against a line of credit which does not have a limit restriction like TAN's do. Mr. Schwotzer said that in the very near future he will be working on the cash reconciliations to make certain that the general ledger is synchronized with the Town Treasurer figures. From this information he should be able to get a solid interest expense.

Mr. Moore noted that building permit revenue is down.

Mr. Gearreald has written a letter to the Trustees of the Trust Fund seeking an explanation of the accumulated interest prior to the end of the year to enable the Town to reduce the usage of lines of credit. At this point he has not received a response.

Mr. Moore is concerned about the revolving fund in the Recreation & Parks Department as it is significantly lower than it has been in the past. It was noted that a grant from Rockingham County will be coming available to the Department to cover the cost of summer scholarships.

Chairman Bridle-Russell questioned why there is internet service at Tuck Field. Mr. Schwotzer explained that the Department uses the internet to enroll students at the venue.

Mr. Lally asked if there will be a number of purchases made in December. Mr. Gearreald and Mr. Schwotzer have been closely tracking the budget and have asked department heads not to wait to the end of the year to place purchase orders. Mr. Gearreald explained that the Town is bound by State law to not spend more than the allocated budget figures.

2. ACCOUNTINGS OF BEACH INFRASTRUCTURE & KINGS HIGHWAY PROJECTS

Fay, Spofford and Thorndike (FST) Representatives Peter Howe and Tom Jenkins addressed the Board.

Mr. Moore asked if the \$461,000 left in uncommitted funds is enough to cover the cost of sewer construction for the seven streets west of Ashworth Avenue. Mr. Jenkins said that the \$461,000 would be enough money to have the sewer pipe installation and the streets paved. The sewer pipe was purchased under the Beach Infrastructure contract so that additional expense does not need to be incurred.

Mr. Moore inquired if the Department of Environmental Services (DES) has viewed the bid package and when it will be available to interested vendors. Mr. Jenkins reported that the package will be in its final review by the end of the week. Once the review is complete contractors may pick up the bid package.

Mr. Moore also asked for an explanation for the Change Order #2 that was issued to FST for \$160,000 on August 25, 2006 and Change Order #3 for \$39,000. Mr. Jenkins explained that the Change Order #3 is a

separate contract for the Town to expedite the project and complete the design which has been done. The contract also included services during construction. Change Order #2 covered FST costs from January 1, 2006 to the end of August 31, 2006. This included inspection services, management of the project, and administration. The contract with FST is a design to build hourly fee contract and much of the additional work such as countless curb cut changes, loading zone issues, open houses, attending Selectmen's meetings, site visits and meetings with abutters was not anticipated when developing the budget. Mr. Howe said that the work is not finished; FST is still performing services that are outside of their control with respect to the contractor (Zoppo), as they are still working on punch list items and redoing items that were not accepted.

Mr. Moore asked if the Town has any recourse against Zoppo for additional fees that FST has incurred as a result of Zoppo. It was determined that it is up to the Town to decide. Mr. Moore asked to see a copy of Zoppo's current punch list.

Mr. Moore asked if Mr. Barrington engaged anyone to have oversight of the change orders. Mr. Jenkins said that DES is in charge of reviewing the Change Orders prior to funding.

OTHER OLD BUSINESS

Parking in the beach district will be discussed at next week's meeting.

Mr. Griffin announced that Molly Malony is doing a fundraising event for Brooke Rallis to be held at the Portsmouth High School on November 10.

Homeowners in Hampton will see approximately \$125 increase in their property taxes per \$1,000 assessed value. This is a result in an increase of voter approved warrant articles and accounting error in 2005 which artificially lowered the tax rate last year for Hampton property owners.

V. NEW BUSINESS

1. 2007 WARRANT – BEGINNING DISCUSSIONS

Mr. Gearreald presented the first draft of the 2007 Warrant.

Major highlights so far include:

- § Article 7 - deals with the first phase of the proposed major drainage projects over a three year period.
- § Article 12 – specific street repairs
- § Article 13 – rebuilding the tennis and basketball courts
- § Article 14 – automated rubbish packer
- § Article 18 - funding for Government Facility Master Plan

Mr. Lally reminded the Departments to submit their rolling stock into the Finance Director before the Budget Committee meets on November 2.

There was discussion on the manner in which to present social service articles. This year the Board is accepting a letter from the various services with the same funding request that was approved last year. Other dollar figures will need to be submitted by a petitioned warrant article.

2. APPROVAL OF CONSERVATION COMMISSION'S ACCEPTANCE OF CONSERVATION EASEMENT ASSOCIATED WITH LONGVIEW PLACE CONDOMINIUM DEVELOPMENT – DRAKESIDE ROAD.

Mr. Moore MOTIONED to approve the Conservation Commission's acceptance of a conservation easement associated with the Longview Place Condominium Development. **Mr. Griffin SECONDED.**

VOTE: 3 FOR
ABSTAINED: Bridle-Russell

3. AUTHORIZATION TO SIGN REQUEST FOR STAY OF NPDES

Mr. Moore MOTIONED to authorize Mr. Gearreald to sign the Agreement to Stay Six-Month Federal Consistency Review Period; NH Department of Environmental Services Permit Re-application (Permit No. NH100625), Hampton Wastewater Treatment Facility. **Mr. Griffin SECONDED.**

VOTE: UNANIMOUS FOR

4. 2006 SECOND HALF TAX WARRANT

Mr. Moore MOTIONED to sign the 2006 Second Half Tax Warrant. **Mr. Griffin SECONDED.**

VOTE: UNANIMOUS FOR

5. STATUS OF FEMA REIMBURSEMENT EFFORTS

Status will be discussed at next weeks meeting.

6. SCHEDULE PUBLIC HEARING TO ACCEPT FEMA REIMBURSEMENT REFUNDS

The Fire Department is eligible to receive \$14,665.88 from the Federal Emergency Management Agency (FEMA) funds as a result of the expense that the Town incurred from the Mother's Day storm declared on May 31, 2006.

Mr. Moore MOTIONED to schedule a public hearing for November 13, 2006 to accept \$14,665.88 in FEMA funds eligible from the 2006 Mother's Day storm. **Mr. Griffin SECONDED.**

VOTE: UNANIMOUS FOR

7. Liquor License

Mr. Lally MOTIONED to support a liquor license for the new business Ed Bread's, pending on fire and police approval. **Mr. Moore SECONDED.**

VOTE: UNANIMOUS FOR

VI. CONSENT AGENDA

VII. - PUBLIC COMMENTS

None

VIII. - CLOSING COMMENTS:

There will be a non-meeting immediately after the Selectmen's meeting.

VI. ADJOURNMENT

Mr. Moore MOTIONED to adjourn the meeting at 9:15PM. **Mr. Griffin SECONDED.**

VOTE: UNANIMOUS FOR

Chairman